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9 UNITED STATES BANKRUPTCY COURT  
10 NORTHERN DISTRICT OF CALIFORNIA – DIVISION 1

11 In Re:

12 **DEAN GREGORY ASIMOS,**  
13  
14 Debtor.

Case No.: 11-13214-AJ

Chapter 7

**DEBTOR'S MOTION TO VOID LIEN  
IMPAIRING EXEMPTION PURSUANT TO  
11 U.S.C. §522(f)**

Judge: Hon. Judge Jaroslovsky

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18 **To the United States Bankruptcy Court, the Honorable Judge Jaroslovsky, the**  
19 **United States Trustee, the Chapter 7 Trustee, Jason Everett Thompson, Wired Real**  
20 **Estate Group, Inc., C. Todd Norris, OCWEN Loan Servicing, Vincent P. O’Leary, all**  
21 **creditors, and all other parties in interest:**

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23 Debtor hereby moves this court for an Order voiding the lien of Jason Everett  
24 Thompson, an individual, and Wired Real Estate Group, Inc., a California corporation  
25 (hereinafter collectively “Lienholders”) on the grounds it impairs an exemption to which the  
26 debtor is entitled.

27 At the commencement of the case, debtor Dean Gregory Asimos (hereinafter “Debtor”)  
28 owned the real property commonly known as 1040 East MacArthur Street, Sonoma, California

95476 (hereinafter "Property") and more fully described in **Exhibit A** attached to the Declaration of Dean Gregory Asimos filed concurrently herewith.

Lienholders have a judgment lien in the principal amount of \$450,038.00 which was perfected by the recordation of a judgment lien in the County of Sonoma, State of California where the Property is located. Said recordation was filed on October 28, 2013, as document number 2013105086 (hereinafter "Lien").

The property had a fair market value of \$607,600.00 as of the commencement of the instant action.

The Debtor claimed an exemption in the amount of \$100.00 in the Property under California Code of Civil Procedure §703.140(b)(5).

The Property was subject at the commencement of the case to liens senior to the Lien as follows:

a. OCWEN Loan Servicing:	\$764,872.80
b. Vincent P. O'Leary:	<u>\$125,000.00</u>
	\$889,872.80
c. Lienholders:	\$450,038.00

11 U.S.C. §522(f) provides that the debtor may void a lien which impairs an exemption to which he is otherwise entitled. The Lien impairs the allowed exemption of \$100.00 which exceeds the value of the Property.

**WHEREFORE**, the Debtor prays for an Order that the court determine that the Lien of Jason Everett Thompson and Wired Real Estate Group, Inc. impairs an exemption to which the Debtor is entitled and that the Lien be declared to be null and void as to the Property.

**SAGARIA LAW, P.C.**

Dated: January 20, 2014

By: /s/ Joe Angelo, Esq.  
Joe Angelo, Esq.  
Attorney for Debtor